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ARISTA NETWORKS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

v.

ARISTA NETWORKS, INC.,

Defendant.

Case No. 5:14-cv-05344-BLF

JOINT STIPULATION TO AMEND
SCHEDULING ORDER; ~~PROPOSED~~
ORDER

Judge: Hon. Beth Labson Freeman

Date Filed: December 5, 2014

Trial Date: November 21, 2016

WHEREAS, the Court entered a stipulated schedule to trial on April 25, 2016, ECF No. 253; and

WHEREAS, the parties have met and conferred and agreed to extend the opening and rebuttal liability expert report deadlines by two days each to allow for additional time to prepare such reports after the close of liability fact discovery, due to the intervening Memorial Day Holiday; and

WHEREAS, the parties have agreed to extend the close of liability expert discovery by two days to correspond to the two day extension for liability expert reports; and

WHEREAS, Cisco has agreed to make one of its experts available for deposition the week of June 20, 2016; and

WHEREAS, the parties have agreed to add a sur-rebuttal damages report deadline of July 15, 2016, to the schedule to allow for Cisco's damages expert to respond to the issues on which Arista bears the burden of proof that will be addressed in Arista's rebuttal damages expert report. *See* 17 U.S.C. § 504(a); and

THEREFORE IT IS HEREBY STIPULATED by and between Cisco and Arista that, subject to the approval of the Court, this Court will proceed to trial according to the revised schedule provided in the table below.

Event	Current Schedule (ECF No. 253)	Amendments to Current Schedule
Last day to disclose advice of counsel (Patent L.R. 3-7)	50 days after claim construction ruling	
Close of fact discovery (except damages)	May 27, 2016	
Last day to disclose liability experts and exchange opening liability expert reports	June 1, 2016	June 3, 2016
Close of fact discovery (damages)	June 10, 2016	
Last day to exchange liability rebuttal expert reports	June 15, 2016	June 17, 2016
Last day to disclose damages experts and exchange opening damages expert reports	June 24, 2016	
Close of liability expert discovery	June 28, 2016	June 30, 2016

Event	Current Schedule (ECF No. 253)	Amendments to Current Schedule
Last day to file dispositive motions	June 30, 2016	
Last day to exchange rebuttal damages expert reports	July 8, 2016	
Last day to exchange sur-rebuttal damages expert reports		July 15, 2016
Close of damages expert discovery	July 22, 2016	
Last day to hear dispositive motions	August 4, 2016	
Last day to file Daubert motions	August 5, 2016	
Daubert opposition briefs due	August 19, 2016	
Daubert reply briefs due	August 26, 2016	
Daubert hearing	September 9, 2016	
Last day to meet and confer before the Final Pretrial Conference (Standing Order Jury Trial Sec. A)	September 9, 2016	
Joint Pretrial Statement and Order (Standing Order Jury Trial Sec. B)	September 16, 2016	
Motions in limine (Standing Order Jury Trial Sec. B.4)	September 16, 2016	
Oppositions to Motions in limine (Standing Order Jury Trial Sec. B.4)	October 7, 2016	
Jury Trial Materials due (Standing Order Jury Trial Sec. B.5)	October 21, 2016	
Final Pretrial Conference and Hearing on Motions in limine and Daubert Motions	November 3, 2016	
Trial Briefs	November 11, 2016	
Trial	November 21, 2016	

Respectfully submitted,

Dated: May 31, 2016

By: /s/ Amy H. Candido

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1 Dated: May 31, 2016

By: /s/ Brian L. Ferrall

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ATTORNEY ATTESTATION

I hereby attest, pursuant to Local Rule 5-1(i)(3), that the concurrence in the filing of this document has been obtained from the signatory indicated by the “conformed” signature (/s/) of Brian L. Ferrall within this e-filed document.

/s/Amy Candido

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 2, 2016


Hon. Beth Labson Freeman
United States District Judge